IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 16712 of 2006

DATE OF DECISION : 19.10.2006

Rajesh Kumar

.....PETITIONER

VERSUS

Union of India through Director General, Border Security Force,
CGO Complex, RK Puran, New Delhi and others.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE M.M.KUMAR
HON'BLE MR. JUSTICE M.M.S.BEDI

PRESENT: Mr.Jagbir Malik, Advocate for the petitinoer.

M.M.KUMAR,J.

The only prayer made in the instant petition under article 226 of the Constitution is for issuance of a direction to respondent No.2 i.e. Director Inspector General, Sector Head Quarter, Border Security Force, Abohar, Punjab to decide the appeal filed by the petitioner against order dated 2.4.2006 (P-3) passed by his Commandant 80 BN. B.S.F. Faridkot,Punjab awarding punishment of 89 days R.I. under force custody. The appeal has been filed under Rule 167 of Border Security Force Rules,1969.

Notice of motion. Ms. Renu Bala Sharma, Central Govt. Standing Counsel, who is present in Court accepts notice. Four copies of the writ petition have been handed over to her.

With the consent of the counsel for the parties the writ petition is taken up for final decision.

After hearing learned counsel for the parties and without expressing any opinion on the merits of the case, we deem it just and appropriate to direct respondent No.2 to decide the statutory appeal filed by the petitioner (P-4) on 3.6.2006 expeditiously, preferably within four months from the date a certified copy of this order is supplied to him. It shall be appreciated, if a detailed speaking order after granting personal hearing to the petitioner is passed.

Copy of the order be given dasti to the learned counsel for the petitioner on payment of usual charges.

(M.M.KUMAR)
JUDGE

October 19 ,2006
TSM

(M.M.S.BEDI)
JUDGE